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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,590

03/01/2004

Todd P. Lukanc

H1775

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61060

7590

04/07/2009

WINSTEAD PC  
P.O. BOX 50784  
DALLAS, TX 75201

EXAMINER

WHITMORE, STACY

ART UNIT

PAPER NUMBER

2825

MAIL DATE

DELIVERY MODE

04/07/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

**Application No.**

10/790,590

**Examiner**

Stacy A. Whitmore

**Applicant(s)**

LUKANC ET AL.

**Art Unit**

2825

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Decision from BPAI dated 11/20/2008.
2. ☒ The allowed claim(s) is/are 11 and 19, renumbered as 1-2.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>7/1/2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                   | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Stacy A Whitmore/  
Primary Examiner, Art Unit 2825

Notice of Allowance

1. Claims 11 and 19 are allowed.
2. The Board of Patent Appeals and Interferences affirmed the rejection(s) against independent claim(s) 1 and 31, but reversed all rejections against claim(s) 11 and 19 dependent thereon. There are no allowed claims in the application. The independent claim(s) is/are cancelled by the examiner in accordance with MPEP § 1214.06.
3. Claim 11 is rewritten in independent form, and claim 19 is rewritten in dependent form, as it is dependent form claim 11.
4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- I. Cancel claims 1-4, 6-9, 12-18, 20, and 31.
- II. In claim 11, delete claim 11 and insert in it's place --

A method of designing an integrated circuit (IC) device having desired electrical characteristics, said method comprising:

providing an initial IC device design;

generating a layout representation corresponding to the initial IC device design;

simulating how structures within the layout representation will pattern on a wafer;

based on the simulating step, determining whether actual electrical characteristics associated with the initial IC device design sufficiently match the desired electrical characteristics,

wherein the desired electrical characteristics include at least one of gain and switching speed; and if the actual electrical characteristics associated with the initial IC device design do not sufficiently match the desired electrical characteristics, modifying the initial IC device design;

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wherein the initial IC device design includes a desired relationship between at least two structures within the IC device design;

further comprising:

determining an amount of process-related variation associated with at least two structures within the layout representation of the IC device design;

wherein determining an amount of process-related variation associated with at least two structures within the layout representation includes:

simulating how structures within the layout representation will pattern on a wafer; and measuring a feature of the simulated structures, said feature being indicative of process-related variation;

wherein the feature indicative of process-related variation is at least one of (i) slope of edge intensity and (ii) logarithm of slope of edge intensity; and

wherein: a larger slope of edge intensity or logarithm of slope of edge intensity is indicative of a smaller process-related variation; and a smaller slope of edge intensity or logarithm of slope of edge intensity is indicative of a larger process-related variation. --.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stacy A. Whitmore whose telephone number is (571) 272-1685. The examiner can normally be reached on Monday-Thursday, alternate Friday 6:30am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on (571) 272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stacy A Whitmore/

Primary Examiner

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SAW

March 4, 2009